

## Message Text

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60

ACTION EA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-01 INR-05 L-01

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USIA-06 DPW-01 DRC-01 /054 W  
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R 171215Z OCT 74

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC 6500

INFO AMEMBASSY TOKYO

CINCPAC

LIMITED OFFICIAL USE SEOUL 6929

EO 11612: N/A

TAGS: PINT, PINS, KS

SUBJECT: SUPREME COURT APPROVES KIM TAE-CHUNG APPEAL

REFS: A. SEOUL 5101 B. SEOUL 4214

1. ON OCTOBER 16, SUPREME COURT ANNOUNCED ACCEPTANCE OF KIM TAE-CHUNG'S MOTION TO REJECT SEOUL DISTRICT CRIMINAL COURT'S THREE-JUDGE PANEL. FORMER PRESIDENTIAL CANDIDATE KIM, WHO HAS BEEN CHARGED WITH VIOLATION OF PRESIDENTIAL AND PARLIAMENTARY ELECTION LAWS, CLAIMED PANEL WAS PREJUDICED AGAINST HIM. SUPREME COURT HAS REFERRED CASE AGAIN TO SEOUL APPELLATE COURT WHICH EARLIER REJECTED KIM'S APPEAL. (REFTEL A).

2. HIGH COURT ANNOUNCED THAT THERE WAS SUFFICIENT REASON TO REHEAR KIM'S ORIGINAL MOTION. ITS VERDICT NOTED THAT APPELLATE COURT TURNED DOWN KIM'S MOTION WITHOUT EXAMININ CONTENT OR INTENT OF REMARKS WHICH DISTRICT COURT JUDGE HAD MADE DURING KIM'S TRIAL. AFTER HEARING TAPE OF ONE KIM TAE-CHUNG SPEECH, JUDGE PAK CHUNG-SUN ALLEGEDLY STATED IN OPEN COURT THAT KIM HAD MADE CAMPAIGN PLEDGES BEFORE PRESIDENTIAL CAMPAIGN WAS OFFICIALLY UNDERWAY,  
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APPARENTLY IN VIOLATION OF ELECTION LAW. KIM MAINTAINED

THIS STATEMENT WAS PREJUDICIAL TO HIS CASE AND THUS HE  
MOVED THAT PANEL OF JUDGES BE REMOVED.  
SNEIDER

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NNN

## Message Attributes

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**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
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**Disposition Authority:** shawdg  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**Reference:** A. SEOUL 5101 B. SEOUL 4214  
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**Review Authority:** shawdg  
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30 JUN 2005

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**TAGS:** PINT, PINS, KS, (KIM TAE-CHUNG)  
**To:** STATE  
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**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005